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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/693,679

Filing Date: October 23, 2003

Appellant(s): MAREL ET AL.

Hewlett-Packard Development Company, LP  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 12/9/09 appealing from the Office action mailed 4/2/09.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

6,349,307

Chen

2-2002

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-14 are rejected under 35 U.S.C. 102(b) as being taught by Chen (US Patent No. 6,349,307).

As to claim 1, Chen teaches a method of matching structured descriptions, the method including the steps of: a. detecting a context reflecting an environment in which the matching is to occur (detecting a topic in which the search is to occur; col 3, lines 33-67, col 8, lines 14-37);

b. matching the detected context to a concept list appropriate to the detected context (matching the topic to a list of associated keywords and phrases; col 3, lines 3-15, col 5, lines 19-24, col 8, lines 14-37);

c. using the concept list to transform the structured descriptions into reduced structured descriptions (updating the query terms with similar, relevant terms from the topical dictionary; col 3, lines 3-15, col 6, lines 36-41);

d. matching the reduced structured descriptions (searching; col 8, lines 14-37 and line 51 to col 9, line 24); and

e. providing an output representing the matching between the structured descriptions (providing relevant documents; abstract; col 8, line 51 to col 9, line 24).

As to claim 3, Chen teaches method as claimed in claim 1 wherein the concept list corresponds to a structured list of concepts and keywords related to a specified context (col 3, lines 3-15, col 5, lines 19-24, col 8, lines 14-37).

As to claim 4, Chen teaches a method as claimed in claim 1 wherein of the structured descriptions is reduced by matching keywords in the structured descriptions with keywords in the concept list and the removing any unmatched keyword concepts from the corresponding structured description (col 8, line 51 to col 9, line 24).

As to claim 5, Chen teaches a method as in claim 1 wherein the context determination is based on measurement of a physical location in which the matching is

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to occur, direct reception of data indicating the context or statistical analysis of characteristics of the environment in which the matching is to occur (col. 8, lines 14-37).

As to claim 9, Chen teaches a method as claimed in claim 7 wherein the transformation process preserves relevant hierarchical structure in the structured description by pruning the keyword tree to remove unmatched keywords while preserving the remaining structure of the description (col 8, line 14-37 and 51 to col 9, line 24).

As to claim 10, Chen teaches a method as claimed in either claim 1 wherein of the structured descriptions and the concept list are defined according to dissimilar ontologies, the method further including the steps of converting of the structured descriptions and the concept list to a common ontology prior to matching or reduction of the structured descriptions (col 3, lines 3-15, col 6, lines 36-41, col 8, line 51 to col 9, line 24).

As to claim 11, Chen teaches a method as claimed in either claim 2 wherein of the structured descriptions are defined according to dissimilar ontologies, the method further including the steps of converting of the structured descriptions to a common ontology prior to matching or reduction of the structured descriptions (col 3, lines 3-15, col 6, lines 36-41, col 8, line 51 to col 9, line 24).

Claims 2, 6-8 and 12-14 contain similar limitations as the above rejected claims and are thus rejected under similar rationale.

**(10) Response to Argument**

In this section, the examiner will summarize the appellant's arguments and respond to each one individually.

However, at the onset, the examiner's rejection is reviewed in context of the claim language as it is believed that the office action has been misconstrued. Chen teaches detecting a topic (context) in which to search. A list of keywords and phrases (concept list) associated with the topic is used in to transform the keywords within the query (structured descriptions). Thereafter, the new transformed query (reduced structured descriptions) is searched and reveal a plurality of relevant results.

In substance, the appellant argues that A) Chen does not teach or suggest transforming structured descriptions (in the plural sense) (see brief page 8), B) Chen merely refers to using a common vocabulary and does not teach matching a detected context to a concept list appropriate to the detected context (see brief page 9), and C) Chen does not disclose a structured list of concepts and keywords related to a specified context (see brief page 10).

**Argument A:** Chen does not teach or suggest transforming structured descriptions (in the plural sense) (see brief page 8)

**Response to Argument A:** In response to appellant's arguments, Chen discloses a system that "facilitates the query process by transforming and augmenting the user query with the terminology" (see col 8, lines 1-13). As to appellant's assertions that the query is not in a plural sense, the examiner respectfully points out that a query contains a plurality of words and hence is in a plural sense. This in fact can be

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highlighted by numerous paragraphs in Chen that disclose that each word in a query may be transformed (i.e., "multiple keywords in a keyword based search system" at col 9, lines 47-52, and "card", "helicopter", etc.)

**Argument B:** Chen merely refers to using a common vocabulary and does not teach matching a detected context to a concept list appropriate to the detected context (see brief page 9)

**Response to Argument B:** The examiner respectfully disagrees with appellant's assertions. Chen teaches at col 5, lines 19-24 that "each topic may have an associated set of keywords and phrases". Furthermore, Chen teaches that "[u]ser queries are processed by the query/result-services module 390 to determine a search topic" (see col 8, lines 1-13). Therefore it is clear that the keywords and phrases in the concept list are associated and relevant to the topic.

**Argument C:** Chen does not disclose a structured list of concepts and keywords related to a specified context (see brief page 10)

**Response to Argument C:** The examiner respectfully disagrees with appellant's assertions. Chen teaches at col 5, lines 19-24 that "each topic may have an associated set of keywords and phrases". Furthermore, Chen teaches that "[u]ser queries are processed by the query/result-services module 390 to determine a search topic" (see col 8, lines 1-13). Therefore it is clear that the keywords and phrases in the concept list are associated and relevant to the topic.

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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/David Lazaro/

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